# SeaChoice response to the public consultation on regulatory approach under Bill C-35, *An Act respecting the prohibition of the importation of goods produced by forced labour*

**Submitted to the Forced Labour / International Security and Political Affairs Branch**

**Global Affairs Canada**

**August 21, 2026**

SeaChoice and its member organizations Ecology Action Centre, Living Oceans Society and David Suzuki Foundation welcome the opportunity to provide input on the implementation of Bill C-35. As Canada's sustainable seafood partnership, SeaChoice has long advocated for seafood supply chains that are transparent, traceable and free of forced labour or illegal activities. Seafood supply chains are recognized globally as high-risk for labour abuses, yet Canada currently lacks comprehensive seafood traceability requirements that would enable regulators to effectively identify, assess, and respond to potential forced labour risks. Effective implementation of Bill C-35 should combine robust evidence, traceability, transparency and enforcement while supporting responsible businesses that invest in due diligence.

Given SeaChoice's area of focus, our feedback and recommendations are specific to the commodities of fish and seafood.

SeaChoice's key recommendations are:

- Recognize seafood as a high-risk commodity for forced labour and illegal practices, so resources can allow for increased attention on identifying problematic goods.
- Develop a new import control scheme that requires reporting of key data and facilitates full chain traceability of seafood products entering Canada, in line with Canada's trade partners, to ensure the forced labour ban is effective.

**Consultation questions:**

**Part 1 – General Questions**

**Evidence: What sources should Canada rely on to identify goods at risk of forced-labour production?**

Canada should rely on multiple credible evidence sources. This should include the many reports produced by the ILO, FAO and UN, academic, journalist and NGO research and reports, and customs agencies in other countries. However, these sources will never tell the full picture if the seafood supply chain as a whole remains opaque. Transparency and traceability are needed to ensure seafood products associated with forced labour are identified.

Some key sources specific to seafood include:

- ILO reports, Towards fair seas: Recruitment and working conditions for migrant workers in the fishing and seafood processing sectors in South-East Asia and Towards freedom at sea: Handbook for the detection of forced labour in commercial fishing - Provides evaluation of migrant labor abuses across Southeast Asian seafood supply chains and frameworks for authorities and industry to inspect and detect forced labor indicators on fishing vessels.

- The United States' List of Goods Produced by Child Labor or Forced Labor - The US flags countries where commercial fish, shrimp, fishmeal, or processing supply chains are known to utilize forced or child labor.
- Combined RFMO IUU Vessel - Provides the best available, up-to-date information on all fishing and related vessels that appear on the illegal, unregulated, and unreported (IUU) fishing vessel lists published by Regional Fisheries Management Organisations (RFMOs) and related organisations. While focused on illegal, Unreported, and Unregulated (IUU) fishing violations mainly, IUU black listed vessels are at higher risk for labour violations.
- EU database of forced labour risks - The EU Forced Labour Regulation will come into effect December 2027. A database will be available once the regulations are in place that provides information on products and geographical areas where forced labour risks have been documented.
- The Outlaw Ocean Project - Provides detailed investigative reports linking specific fishing vessels, and seafood processors to forced labor and human rights abuses (such as North Korean forced labor in Chinese processing plants or abuses on distant-water squid fleets). The "Bait to Plate" supply chain mapping platform names vessels and companies linked to human rights abuses.
- Global Fishing Watch platform - Uses Automatic Identification System (AIS) satellite tracking to monitor vessel activity at sea, identifying risk indicators such as unverified transshipments, excessive periods spent at sea without docking, and illegal fishing behaviors.
- Environmental Justice Foundation (EJF) Fisheries Reports - Published field investigations and testimonies from crew members on distant-water fishing fleets, documenting human rights abuses, physical violence, debt bondage, and illegal fishing practices.

**Unit of Listing: Under C-35, entries on the list would identify goods specified by producer, countries or regions, or both. What considerations should apply when choosing how to specify a particular good on the list?**

The risk for forced labour should be considered to identify goods. Seafood supply chains are often complex, involving multiple vessels, processing facilities, brokers, and countries before products reach Canadian consumers. This complexity can create significant barriers to effective oversight and enforcement. The seafood sector is especially vulnerable because fishing operations frequently occur on offshore vessels operating far from public scrutiny and regulatory oversight and may be away from port for days, weeks or even months.[1] A risk-based approach would identify, for example, producers who operate offshore fleets which are known to be most vulnerable to forced labour practices; producers whose products are known to be illegally fished, such as squid[2] and regions where credible reports of forced labour have been made such as Zhejiang[3] and Shandong.[4]

Listings for fish or seafood should be as specific as possible, identifying seafood producers, vessels, processing facilities or regions. For seafood, producer-level or vessel-level listings are generally preferable to broad country-wide listings because labour risks often vary considerably within countries and fisheries.

**Relationship to Existing Measures: How should C-35 complement existing legislative, regulatory, and policy measures to address forced labour in supply chains?**

The government should consider how Bill C-35 could complement existing import measures and data that exists across departments. While Canada does not have the traceability requirements in place to ensure that seafood products are free from forced labour or other prominent issues of IUU fishing, the current Safe Food for Canadians regulations require importers to provide some data through an import system for the purposes of ensuring health and safety.[5] It is not efficient to create solutions for issues forced labour, IUU fishing and health and safety in silos given the reporting and import processes can be similar. The government should consider how these systems for gathering information and processes for screening imports could be streamlined and utilize existing government systems. To effectively enforce a ban on forced labour, the companies will need to have more traceability and governments will need access to data that is currently not required. The government should consider how Bill-35 could complement future seafood traceability import controls focused on ensuring that products of forced

[1] International Labour Organization. (2024). Forced labour in commercial fishing. International Labour Office. https://www.ilo.org/publications/forced-labour-commercial-fishing
[2] Urbina, I. (2023). China: The superpower of seafood. The Outlaw Ocean Project. https://theoutlawocean.com/investigations/china-the-superpower-of-seafood/
[3] Environmental Justice Foundation. (2024, March 7). Zhejiang Ocean Family Co Ltd and its fishy business. https://ejfoundation.org/reports/zhejiang-ocean-family-co-ltd-and-its-fishy-business
[4] U.S. Department of Labor, Bureau of International Labor Affairs. (2024). 2024 list of goods produced by child labor or forced labor. U.S. Department of Labor. https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods?combine&field_exp_exploitation_type_target_id_1=All&field_exp_good_target_id=All&items_per_page=25&order=name_1&page=1&sort=asc&tid=5531&
[5] Safe Food for Canadians Regulations, SOR/2018-108 (Can.). https://laws-lois.justice.gc.ca/eng/regulations/SOR-2018-108/index.html

labour and illegal, unregulated and unreported fishing are also kept out of Canadian supply chains.

Canada actively champions high seas monitoring and inspections internationally, such as the NAFO inspection scheme and operations in the North Pacific.[6] Information gathered through these operations, joint maritime patrols, and vessel observation reports should feed directly into government data and analysis of goods at risk. Observations of suspected forced labour on the high seas could directly trigger border control when those vessels or associated supply networks attempt to land or import catch into Canada.

Regional Fisheries Management Organizations (RFMOs), that Canada is a signatory to including ICCAT, NAFO and WCPFC have non-binding resolutions encouraging flag states to eliminate forced labor on vessels, ratify international conventions (such as ILO Convention No. 188 and the ILO Fundamental Principles), and/or report violations.[7,8,9] These non-binding resolutions rely on voluntary state compliance, but Bill-35 has the potential to uphold these resolutions.

Finally, the ILO Working in Fishing Convention (C188) is one of the best instruments for labour law reform within the fisheries sector and should be considered when looking to address forced labour in fisheries.[10] C188 was created to fill a gap created by the Maritime Labour Convention (MLC) as it excludes fishing. While Canada has signed on to the MLC, it has yet to ratify C188. C188 commits ratifying states to ensure safe and appropriate working conditions and arrangements and enforce the measures through inspections on both domestic vessels and foreign vessels entering Canadian ports. As more countries seek to ratify C188, it could become a risk to Canadian producers and exporters who are not yet held to this standard and, if ratified, Canada could enhance its import controls including C188 compliance as evidence for the absence of forced labour.

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[6]Fisheries and Oceans Canada. (2020). Canada's high seas monitoring, control and surveillance activities. Government of Canada. https://www.dfo-mpo.gc.ca/international/mcs-activities-eng.htm

[7] International Commission for the Conservation of Atlantic Tunas. (2023). *Resolution by ICCAT on core principles on labour standards in ICCAT fisheries (Resolution 23-20).* *https://www.iccat.int/Documents/Recs/compendiopdf-e/2023-20-e.pdf*

[8] Northwest Atlantic Fisheries Organization. (2018). Report of the NAFO Commission and its Subsidiary Bodies (STACTIC and STACFAD). https://www.nafo.int/Portals/0/PDFs/com/2018/comdoc18-28.pdf

[9] Western and Central Pacific Fisheries Commission. (2024). Conservation and management measure for crew labour standards. https://cmm.wcpfc.int/sites/default/files/cmm_attachments/Att%2020_CMM%202024-04%20Crew%20Labour%20Standards%20CMM.pdf

[10] Oceana Canada. (2022). Human rights, forced labour and sustainability in global fisheries: A potential Canadian contribution to enhancing decent work in fishing. https://oceana.ca/wp-content/uploads/sites/24/Forced-Labour-in-Global-Fisheries_report-with-cover-page.pdf

**Civil Society and Worker Input: What role should civil society organizations, workers, and others with knowledge of supply chains play in identifying goods at risk of forced labour? How can the process enable them to share information effectively, including where those providing it may face risks?**

Workers, trade unions and civil society organizations should play a central role in identifying forced labour risks. There could be a confidential reporting mechanism or a process to submit evidence for consideration of a new listing. The government may also consider setting up advisory groups with key stakeholders to provide consistent input and help with decision making.

**International Alignment: How should Canada's approach relate to those of key partners that are also working to address forced labour and other forms of labour exploitation in supply chains?**

Over the last decade, major market states including the United States (US), the European Union (EU) and Japan, have introduced import control schemes to improve seafood traceability and transparency for seafood supply entering the market.[11] These regulations aim to capture key information about seafood products as they move through the supply chain and are imported into the respective market, which can then be used to identify products of IUU fishing or seafood fraud. To date, the major import control schemes in effect include the EU's IUU Regulation, the US Seafood Import Monitoring Program (SIMP) and Japan's Act on Ensuring the Proper Domestic Distribution and Importation of Specified Aquatic Animals and Plants. Some RFMOs have also developed catch documentation schemes that multiple countries adhere to alongside shared IUU vessel blacklists and Port State Measures to block illegal catch from entering member markets.[12,13] While import controls have been developed by other countries, Canada is falling behind, leaving its market vulnerable to the entrance of products of IUU fishing. SeaChoice's report demonstrates how Canada's import controls are severely lacking compared to that of our other major trading partners.[14] While these import control schemes are focused on IUU

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[11] EU IUU Fishing Coalition, US IUU Fishing and Labor Rights Coalition, and IUU Forum Japan (2025). The Fisheries Import Control Scheme Handbook. https://www.iuuwatch.eu/2025/11/closing-the-net-launching-the-fisheries-import-control-scheme-handbook/

[12] Environmental Justice Foundation, Oceana, The Nature Conservancy, The Pew Charitable Trusts, & WWF. (2020). A comparative study of key data elements in import control schemes aimed at tackling illegal, unreported and unregulated fishing in the top three seafood markets: The European Union, the United States and Japan. IUU Watch. https://www.iuuwatch.eu/wp-content/uploads/2020/01/CDS-Study-WEB.pdf

[13] TMT. (2026). Combined IUU fishing vessel list. https://iuu-vessels.org/

[14] SeaChoice. (2026). *Canada's seafood at risk: A comparative report on seafood import controls in Canada, EU, US and Japan*. https://www.seachoice.org/wp-content/uploads/2026/08/Canadian-seafood-at-risk-comparison-report-FINAL.pdf

fishing, it is well documented that the risk of forced labour increases when illegal activities are taking place.[15]

Canada should harmonize approaches wherever possible with key trading partners to reduce duplication and improve enforcement. Mutual recognition of evidence, compatible traceability requirements and information sharing will strengthen global efforts to eliminate forced labour while reducing compliance costs.

**Part 2 – Information requirements and associated impacts**

**2A - Broad objectives and outcomes**

**What supply-chain information and supporting documentation should importers of listed goods generally be expected to provide to demonstrate that their goods were not produced, in whole or in part, with forced labour?**

To enforce a forced-labour ban effectively, Canada urgently needs to establish import control regulations and infrastructure that integrates labour-specific key data elements (KDEs) for seafood imports. While all import schemes existing today focus on food safety and IUU fishing compliance, the international regulatory landscape is rapidly evolving. For example, the U.S. SIMP Action Plan and the Global Dialogue for Seafood Traceability (GDST) are moving to support labour-specific information and human welfare data.[16,17]

A collective of global seafood sustainability-focused NGOs including the EU IUU Fishing Coalition, US IUU Fishing and Labor Rights Coalition, and IUU Forum Japan, with support from some seafood industry players, have agreed upon a list of KDEs specific to seafood that are needed for an effective import control regulation.[18] These are:

- Vessel name
- Unique vessel identifier (IMO number)
- Vessel flag
- International radio call sign (IRCS)
- Information on exporter / re-exporter
- Identity of import company

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[15] See footnote 1

[16] National Oceanic and Atmospheric Administration. (2024). Seafood Import Monitoring Program (SIMP) action plan. https://www.fisheries.noaa.gov/s3/2024-11/SIMP-Action-Plan_final.pdf

[17] Global Dialogue on Seafood Traceability (2023). Standards & Guidelines for Interoperable Seafood Traceability Systems - Core Normative Standards (Version 1.2). https://thegdst.org/resources/standard/

[18] See footnote 11

- Product type
- Species name
- Estimated live weight
- Processed weight
- Transshipment declaration
- Event date
- Catch area
- Authorization to fish
- Port of landing
- Processing location
- Fishing gear type or catch method

Additionally, there are three KDEs that are important in identifying forced labour or human rights violations in the seafood sector.[19] These are:

- Vessel owner (name)
- Vessel captain (name)
- Time spent at sea (number of days)

These KDE's enable authorities to evaluate vessel-level risk, enforce targeted accountability, and uncover beneficial ownership. Because labour abuses are frequently tied to specific captains or corporate entities rather than the vessel itself, this data helps track "vessel hopping" across fleets. Furthermore, time spent at sea data serve as key indicators of crew welfare, as prolonged deployments often signal exploitative practices.

Traceability data may not always provide the full picture in relation to forced labour issues, but it can be triangulated with other sources for verification such as worker testimony.[20] It is also important to note that a traceability system and data collected needs to complement due diligence and meaningful working engagement by companies through their suppliers.

**What types of information (e.g., traceability information, due diligence records, audit documentation) would most effectively support the verification and enforcement of the forced labour import prohibition?**

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[19] FishWise. (n.d.). Sustainable seafood: Data-driven approaches to social responsibility. https://fishwise.org/resource/sustainable-seafood-data-driven-approaches-to-social-responsibility/

[20] U.S. Department of Labor, Bureau of International Labor Affairs. (2026). Assessing forced labor in the distant water fishing supply chain. https://www.dol.gov/sites/dolgov/files/ILAB/Distant_Water_Fishing_final_report_508_compliant.pdf

Verification and enforcement of a forced labour import ban is most effective when strong traceability and due diligence systems are in place.[21] A stronger seafood traceability system with key information required would provide regulators with access to critical supply chain information before products enter the marketplace. Requiring information that providers transparency throughout the supply chain, allows authorities to trace seafood back to its source, verify the legality and origin of products, and identify high-risk vessels, fleets, or businesses. Improved seafood traceability would help Canada demonstrate that it has the tools necessary to implement and enforce its existing legal obligations.

Due diligence records are another form of information that can effectively enforce the ban. Importers should be able to provide due-diligence records demonstrating how forced-labour risks were identified, assessed and addressed and would support border agencies in investigations since companies/importers are more directly involved with suppliers, purchasing decisions, production sites, raw materials, intermediaries, contracts and remediation.

For commercial fisheries specifically, information demonstrating compliance with relevant labour standards, primarily the ILO Work in Fishing Convention (C188), could provide an additional indicator of labour conditions aboard vessels.

The most effective enforcement system would not rely on a single type of information. Rather, authorities should be able to triangulate traceability records with due-diligence documentation and independent labour evidence. This approach would allow Canada to verify both the physical origin of seafood and the conditions under which it was produced, while enabling risk-based enforcement against specific vessels, fisheries, processors or businesses rather than relying solely on broad country-level assessments

**2B - Importer due diligence and compliance expectations**

**What documentation should an importer be able to submit to support the removal of specific goods from the list?**

Producers or importers seeking to request a review of, or removal of an entry should demonstrate full chain traceability of product source, verification of remediation where applicable, effective grievance mechanisms, and compliance over a sustained period of time.

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[21] Murphy, L. T. (2026). An international blueprint for forced labor import bans. Carr-Ryan Center for Human Rights. Harvard Kennedy School. https://www.hks.harvard.edu/sites/default/files/2026-05/26_Laura_Murphy_01.pdf

For seafood specific documentation, we recommend the following risk indicators and data published from US based NGO, FishWise, who work directly with industry from fishers to retailers acting as consultants, conducting risk assessments and working directly on the water.

- Recruitment agencies (Y/N and name)
- Recruitment channel (government/private and name)
- Trade union or worker org (Y/N and name)
- Grievance mechanism (Y/N and details)
- Safety inspections (Y/N and findings)
- Independent third-party social inspections (Y/N and details)
- Accidents, illness, and fatalities (Y/N and details)
- Work contracts (ask for copies)
- Wages paid (ask for proof)
- Management/Skipper/Vessel Owner(s) (names, nationality, and
- languages spoken)
- Migrant workers (Y/N and % breakdown)
- Gender (% breakdown)
- Existence of a human and labor rights policy (Y/N and details)
- WiFi on vessel (Y/N and details)
- Health & safety records (reports)
- Incident records (reports)
- Crew list (name, nationality, passport #, age, fishing trip
- dates)

**How should the Government balance the need for detailed supply chain documentation with the administrative requirements placed on importers, particularly SMEs?**

The seafood industry globally has a large proportion of small to medium scale businesses which are at risk from being excluded from global markets when requirements are extremely costly or burdensome. Decision made by the government should consider adverse effects while recognizing that high-risk sectors require greater scrutiny and attention.

One solution that is applied in other countries is using simplified catch documentation with reduced reporting requirements. For example, the EU Commission Regulation 1010/2009, the U.S. SIMP, and Japan Act on Ensuring the Proper Domestic Distribution and Importation of Aquatic Animals and Plants accommodate small-scale operators by allowing them to aggregate same-day catches from shared collection points rather than providing vessel-specific data.[22] These simplified forms omit unnecessary or non-existing traceability data.

The use of technology to make reporting more efficient and harmonizing requirements to the degree it is effective also can support companies in complying without increasing the burden.

**2C - Commodity types and required documents**

**Should the types of documents required from importers vary by commodity or sector? If so, what forms of information is most appropriate for different categories of goods (e.g., raw materials, agricultural products, manufactured goods, or complex products with multi-tier supply chains)?**

Yes, answers above refer to fish and seafood specific requirements.

**Are certain types of information, such as transaction records, production records, third-party audits, certifications, or worker welfare assessments, more reliable for particular commodities or sectors? If so, please provide examples.**

Worker-centered information (independent interviews and reporting) is generally accepted as the most reliable within the seafood industry.[23] Traceability based information like transaction records or production records can be helpful in verifying evidence.

Certifications and third-party audits are less reliable because the audits are usually only reflecting one moment in time and are only periodically conducted.[24] They can be manipulated more easily. Certifications are often heavily relied upon without further investigation which can lead to “fairwashing” and some may have exceptions that allow for certification if the producer doesn’t actually meet all the requirements.

**For commodities at high risk of forced labour production, what additional production, traceability, or chain-of-custody documentation should importers be expected to provide, beyond standard commercial records?**

Same as above.

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[22] See footnote 11

[23] Stringer, C., Whittaker, D. H., Simmons, G., Rees, A., & Blasi, J. (2018). Seeing slavery in seafood supply chains. Science Advances, *4*(7), e1701833. https://doi.org/10.1126/sciadv.1701833

[24] Hardisty, S. (2024). Understanding and addressing fairwashing challenges in the seafood industry: How can you trust your fish? International Pole and Line Foundation. https://ipnlf.org/understanding-and-addressing-fairwashing-challenges-in-the-seafood-industry-how-can-you-trust-your-fish/

**2D - Information sharing and transparency**

**What information should government publicly disclose regarding forced labour enforcement actions?**

Government should publicly disclose the high risk listed goods, reasons for listing, enforcement actions, compliance outcomes, import statistics and summaries of successful remediation.